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of state officials starting today.

Mar. 03, 2014

A stampede of applications for medical pot dispensaries could end up on the desks of state officials starting on Tuesday.

Business owners will be able to register under a new law — House Bill 3460 — that removed a legal gray area over the operation of medical pot outlets while imposing a series of regulations on them.

Local business owners are already lining up to file electronically to the Oregon Health Authority.

“We're pushing the button,” said Melanie Barniskis, manager of The Greenery, a nonprofit Oregon Medical Marijuana Program patient resource center in Phoenix.

The Greenery has been going over a final checklist on the paperwork that will be submitted to the Oregon Health Authority as soon as the website begins accepting applications, Barniskis said.

One of the rules is that a dispensary cannot be located within 1,000 feet of a school or 1,000 feet from another dispensary. The 1,000-foot rule is a straight-line measurement, or as the crow flies.

The Greenery is located 1,017 feet from the nearest school — just over the limit.

“It's close enough for government work,” Barniskis said.

But local governments are taking steps to thwart the new law by enacting laws that ban them, particularly in Phoenix and Medford.

Phoenix City Council will have a second reading at 6:30 p.m. today of a measure that

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gold rush.

The Greenery provides marijuana to patients, who have the choice of offering a donation. Barniskis said about one out of every five patients they see cannot afford a donation.

Even if marijuana were legalized, Barniskis said, The Greenery would continue to provide the same services.

In Medford, the City Council will consider an appeal of a business license revocation of Mary Jane's Attic and Mary Jane's Basement, located in the Winco shopping center on Barnett Road. The appeal will be heard at 7 p.m., Thursday, in City Hall, 411 W. Eighth St.

In September, the city of Medford enacted an ordinance that would deny a business license to anyone engaged in a business that violates federal law. Medical marijuana is still a violation of federal law, but U.S. Attorney General Eric Holder has said the federal government will not go after dispensaries that adhere to state law.

Richard Nuckols, owner of Mary Jane's, said he's prepared to file the necessary documents to register with the state.

"A lot of the rules are things we've already implemented," he said.

Mary Jane's labels each type of marijuana with the percentage of active ingredients — THC and cannabinoids — and tests it to detect the presence of mold and pesticides.

Nuckols said medical marijuana patients will attend the City Council meeting Thursday to voice their objections over the revocation of his business license.

In Jackson County, about 10 individuals are considering registering for a medical

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"We're expecting strong interest on the first day," said Mary Ann Fish, spokeswoman for the OHA.

Throughout the state, as many as 200 dispensaries are operating in a legal gray area, and many of them are likely to register with the state, she said.

The health authority has two employees assigned to process applications, which will be handled on a first-come, first-served basis. No estimates were provided as to how long it would take to process an application.

While the filing is electronic, Fish said some of the information needed for the criminal background check will have to be sent through the mail. A separate department will process the background checks.

If the demand is high, Fish said, two more employees could be added.

In addition, two inspectors have been assigned to visit each of the dispensaries within the first six months after they are registered.

Fish said the OHA wants dispensaries to provide a security plan and an inventory control system.

"We want them to provide safe access and keep our communities safe," she said.

Tom Burns, director of pharmacy programs for the health authority, said the OHA encourages dispensaries to check with local planning departments to make sure they are locating in an area that has appropriate zoning.

It is up to dispensaries to ensure that they are not located near a school, he said.

Even though the OHA has identified 650 schools in communities throughout Oregon, it doesn't guarantee that it has accounted for all of them, Burns said.

Dispensary owners should do their own due diligence and walk neighborhoods and

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